



04-09-03

3737

Patent Application No: 10/099,929  
108349-000014

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Robert E. Rogers et al.

Serial No. 10/099,929

Filed: March 13, 2002

For: METHOD AND APPARATUS FOR  
MONITORING AND  
COMMUNICATING WITH AN  
IMPLANTED MEDICAL DEVICE

Group Art Unit: 3737

Examiner: To be assigned

RECEIVED

APR 14 2003

TECHNOLOGY CENTER R3700

INFORMATION DISCLOSURE STATEMENTCommissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 CFR Sections 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR 1.56. The submission thereof by Applicants is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR 1.97(h)), or even qualifies as "prior art" under 35 USC 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING

(37 C.F.R. § 1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office to Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

EU393891858US

April 7, 2003  
Date of Deposit

Ann I. Rencken

Name of Person Mailing Paper

Signature of Person Mailing Paper

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION**

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR 1.97(b), that is (1) within three months of the filing date of the application, which is not continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office Action on the merits; or (4) before the mailing of a first Office Action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the Deposit Account referenced below.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

| A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).

| Please charge \_\_\_\_\_ to Deposit Account No. **50-2075** for the above fee(s).

☒ The Commissioner is hereby authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Procopio's Deposit Account No. **50-2075**.

Respectfully submitted,

Dated: \_\_\_\_\_

April 1, 2003

By: \_\_\_\_\_

Thomas E. Coverstone  
Reg. No. 36,492

Procopio, Cory, Hargreaves & Savitch LLP  
530 B Street, Suite 2100  
San Diego, California 92101-4469  
(619) 238 1900

108349-000014

10/099,929

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT**
**APPLICANT:**

Robert E. Rogers, et al

**FILING DATE:**

March 13, 2002

**GROUP:**

3737

(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	3,478,344	11/11/69	R.K. Schwitzgebel, et al	340	312	
	AB	3,768,014	10/23/73	Smith, et al	324	158 R	
	AC	3,885,552	05/27/75	Kennedy	128	2.05 R	
	AD	3,902,478	09/02/75	Konopasek, et al	128	2.06 F	
	AE	3,925,762	12/09/75	Keitlinger, et al	340	150	
	AF	4,173,971	11/13/79	Karz	128	702	
	AG	4,183,354	01/15/80	Sibley, et al	128	711	
	AH	4,211,237	07/08/80	Nagel	128	698	
	AI	4,230,127	10/28/80	Larson	128	706	
	AJ	4,241,237	12/23/80	Paraskevagos, et al	179	2 AM	
	AK	4,457,315	07/03/84	Bennish	128	704	
	AL	4,531,527	07/30/85	Reinhold, Jr., et al	128	696	
	AM	4,535,783	08/20/85	Marangoni	128	711	
	AN	4,651,157	03/17/87	Gray, et al	342	457	
	AO	4,706,689	11/17/87	Man	128	903	
	AP	4,742,357	05/03/88	Rackley	342	457	
	AQ	4,750,197	06/07/88	Denekamp, et al	379	58	
	AR	4,819,860	04/11/89	Hargrove, et al	228	668	
	AS	4,952,928	08/28/90	Carroll, et al	340	825.54	
	AT	5,003,984	04/02/91	Muraki, et al	128	710	
	AU	5,113,869	05/19/92	Nappholz, et al	128	696	
	AV	5,172,698	12/22/92	Stanko	128	697	

TECHNOLOGY CENTER R3700

APR 14 2003

RECEIVED

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

108349-000014

10/099,929

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT**

**APPLICANT:**

Robert E. Rogers, et al

**FILING DATE:**

March 13, 2002

**GROUP:**

3737

(Use several sheets if necessary)

AW	5,223,844	06/29/93	Mansell et al	342	357	
AX	5,301,105	04/05/94	Cummings, Jr.	364	401	
AY	5,309,920	05/10/94	Gallant, et al	128	710	
AZ	5,311,197	05/10/94	Sorden, et al	342	457	
BA	5,318,592	06/07/94	Schaldach	607	5	
BB	5,321,618	06/14/94	Gessman	364	413.06	
BC	5,334,974	08/02/94	Simms, et al	340	990	
BD	5,335,664	08/09/94	Nagashima	128	696	
BE	5,336,245	08/09/94	Adams Theodore P.	607	32	
BF	5,348,008	09/20/94	Bornn, et al	128	642	
BG	5,389,934	02/14/95	Kass	342	357	
BH	5,418,537	05/23/95	Bird	342	356	
BI	5,422,816	06/06/95	Sprague, et al	364	449	
BJ	5,423,869	06/13/95	Poore	607	18	
BK	5,458,123	10/17/95	Unger	128	696	
BL	5,461,365	10/24/95	Schlager, et al	340	573	
BM	5,470,233	11/28/95	Fruchterman, et al	434	112	
BN	5,479,482	12/26/95	Grimes	379	59	
BO	5,487,755	01/30/96	Snell, et al	607	27	
BP	5,497,149	03/05/96	Fast	340	988	
BQ	5,503,158	04/02/96	Coppock et al	128	696	
BR	5,504,491	04/02/96	Chapman	342	357	
BS	5,515,419	05/07/96	Sheffer	379	58	
BT	5,522,396	06/04/96	Langer, et al	128	696	

RECEIVED  
APR 14 2003  
TECHNOLOGY CENTER R3700**EXAMINER:****DATE CONSIDERED:**

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

108349-000014

10/099,929

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT**
**APPLICANT:**

Robert E. Rogers, et al

**FILING DATE:**

March 13, 2002

**GROUP:**

3737

(Use several sheets if necessary)

BU	5,544,661	08/13/96	Davis, et al	128	700	
BV	5,549,113	08/27/96	Halleck, et al	128	671	
BW	5,564,429	10/15/96	Bornn, et al	128	696	
BX	5,568,814	10/29/96	Gallant, et al	128	672	
BY	5,573,506	11/12/96	Vasko	604	65	
BZ	5,576,952	11/19/96	Stutman, et al	364	413.02	
CA	5,579,775	12/03/96	Dempsey et al	128	670	
CB	5,617,871	04/08/97	Burrows	128	696	
CC	5,620,472	04/15/97	Rahbari	607	27	
CD	5,626,624	05/06/97	Schaldach, et al	607	24	
CE	5,626,630	05/06/97	Markowitz, et al	607	60	
CF	5,629,678	05/13/97	Gargano, et al	340	573	
CG	5,652,570	07/29/97	Lepkofker	340	573	
CH	5,678,562	10/21/97	Sellers	128	710	
CI	5,704,351	01/06/98	Mortara, et al	128	630	
CJ	5,704,364	01/06/98	Saltzstein, et al	128	696	
CK	5,704,366	01/06/98	Tacklind, et al	128	716	
CL	5,720,770	02/24/98	Nappholz, et al	607	30	
CM	5,720,771	02/24/98	Snell	607	60	
CN	5,724,025	03/03/98	Tavori	340	573	
CO	5,729,197	03/17/98	Cash	340	539	
CP	5,730,143	03/24/98	Schwarzberg	128	710	
CQ	5,731,757	03/24/98	Layson, Jr	340	573	
CR	5,748,103	05/05/98	Flach, et al	340	870.07	

RECEIVED  
APR 14 2003  
TECHNOLOGY CENTER R8700

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

108349-000014

10/099,929

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT**
**APPLICANT:**

Robert E. Rogers, et al

**FILING DATE:**

March 13, 2002

**GROUP:**

3737

(Use several sheets if necessary)

CS	5,749,367	05/12/98	Gamlyn, et al	128	696	
CT	5,749,907	05/12/98	Mann	607	27	
CU	5,752,976	05/19/98	Duffin, et al	607	32	
CV	5,759,199	06/02/98	Snell, et al	607	60	
CW	5,882,300	03/16/99	Malinouskas, et al	600	300	
CX	5,891,169	04/06/99	Boheim, et al	607	4	
CY	5,913,827	06/22/99	Gorman	600	509	
CZ	5,913,881	06/22/99	Benz, et al	607	36	
DA	5,931,791	08/03/99	Saltzstein, et al	600	513	
DB	5,941,829	08/24/99	Saltzstein, et al	600	509	
DC	5,944,659	08/31/99	Flach, et al	600	300	
DD	5,950,110	09/07/99	Hendrickson	455	1	
DE	5,959,529	09/28/99	Kail, IV	340	539	
DF	5,964,794	10/12/99	Bolz, et al	607	121	
DG	5,966,692	10/12/99	Langer, et al	705	3	
DH	5,970,986	10/26/99	Bolz, et al	128	899	
DI	5,987,352	11/16/99	Klein, et al	600	509	
DJ	5,987,519	11/16/99	Peifer, et al	709	230	
DK	6,026,008	02/15/00	Feese	365	63	
DL	6,038,469	03/14/00	Karlsson, et al	600	512	
DM	6,073,046	06/06/00	Patel, et al	600	509	
DN	6,083,248	07/04/00	Thompson	607	30	
DO	6,088,608	07/11/00	Schulman, et al	600	345	
DP	6,093,146	07/25/00	Filangeri	600	300	

RECEIVED  
APR 14 2003  
TECHNOLOGY CENTER R3700**EXAMINER:****DATE CONSIDERED:**

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

108349-000014

10/099,929

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT**
**APPLICANT:**

Robert E. Rogers, et al

**FILING DATE:**

March 13, 2002

**GROUP:**

3737


 (Use several sheets if necessary)

	DQ	6,101,478	08/08/00	Brown	705	2	
	DR	6,102,856	08/15/00	Groff, et al	600	301	
	DS	6,154,674	11/28/00	Meier	607	23	
	DT	6,160,478	12/12/00	Jacobsen	340	539	
	DU	6,181,966	01/30/01	Nigram	607	4	
	DV	6,192,274	02/20/01	Worzewski	607	14	
	DW	6,225,901	05/01/01	Kail, IV	340	539	
	DX	6,245,092	06/12/01	Schaldach	607	1	
	DY	6,263,243	07/17/01	Lang	6-7	17	
	DZ	2002 0143576	10/3/02	Nolvak, et al			

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	EA	EP 0 484 880	11/05/91	EPO				
	EB	WO 94/13197	06/23/94	PCT				
	EC	DE 4414 907	06/22/95	Deutschland				
	ED	EP 0 834 846	01/18/96	EPO				
	EE	WO 96/25877	08/29/96	PCT				
	EF	WO 97/00708	01/09/97	PCT				
	EG	EP 0 811 959	06/05/97	EPO				
	EH	2 787 905	12/23/98	France				
	EI	WO 99/44494	09/10/99	PCT				
	EJ	WO 00/30529	06/02/00	PCT				

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.

108349-000014

10/099,929

**LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT**
**APPLICANT:**

Robert E. Rogers, et al

**FILING DATE:**

March 13, 2002

**GROUP:**

3737

(Use several sheets if necessary)

EK	WO 00/62663	10/26/00	PCT				
EL	EP 1 072 994	01/31/01	EPO				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

--	--	--

**RECEIVED**  
 APR 14 2003  
 TECHNOLOGY CENTER R3700

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: Please initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. Thank you.